

UNITED STATES DISTRICT COURT:

DISTRICT OF MASSACHUSETTS

JOHNSON Steven M.

CIVIL CASE

PLAINTIFF

CASE No: 04-12086, 7

v.

AMENDMENT OF RETALIATION:

KATHLEEN DENNEHEY

SUPERINTENDENT SPENCER

DEFENDANTS

In this the Plaintiff in this case has again been retaliated against by the Defendants on November 22, 2004 the D. Officer informed him that the pending Adjustment that ||as pending against him for Six Weeks has been dismissed but, they no|| have given the Plaintiff in this case another D-Report for filing a Grievance again. They have Retaliated against the Plaintiff in this case for a Lawful Activity of filing a Grievance for missing money out of his account.

The Plaintiff in this case filed this Grievance in good faith but, was soon found to have been given a D-Report for filing of the grievance again.

The Defendants in this case have continued to Retaliate against the Plaintiff in this case Pratt v Rowland 770 F. Supp 1399, Thomas v. Evan 880 F.2d 1235

The Plaintiff is being unduly punished by the defendants in this case for exercising of his constitution-al Rights.

SIGNED ON THIS 23 DAY OF NOVEMBER 2004

STEVEN M. JOHNSON  
T26693 MCI-Norfolk  
P.O. Box 43  
2 Clark Street  
NORFOLK MA 02056-

## COMMONWEALTH OF MASSACHUSETTS

## DEPARTMENT OF CORRECTION

## DISCIPLINARY REPORT

Inmate JOHNSON, STEVEN M Commit No T26693 Housing Unit SMU2  
 Date 19-NOV-2004 D- Report No. 46774 Institution MCI NORFOLK

## OFFENSE(S) &amp; CODE NO.:

01-DISOBEYING AN ORDER, LYING, INSOLENT  
 02-VIOLATING ANY DEPARTMENT RULE OR REGULATION  
 06-COUNTERFEITING, FORGING, MISREPRESENTATION

Major ☒Minor ☐

## Description of Offense(s)

On Friday November 19, 2004 at approx. 11:50 pm, I did discover that inmate Johnson lied on a grievance that he had submitted to this office. Inmate Johnson claims that Superintendent Spencer authorized him to purchase clothing via a savings to personal request form. Inmate Johnson submitted the request to transfer \$15.00 in funds for canteen and certified postage. As supporting documentation to this grievance, Inmate Johnson only provided the lower half of the savings to personal form with the Superintendents signature and approval on it. This in an attempt to misrepresent what the approval was for. This documentation has been placed into evidence.

Has Inmate been placed on Awaiting Action Status Yes ☐ No ☐

Referred to DA ☐ Yes ☒ No Referred to DDU ☐ Yes ☒ No

Reporting Staff Kimberly Kenney A Date 19-NOV-2004 Time 12:59

Days off Fri Sat  
 Shift 7-3

Shift Commander David Sullivan J Date 19-NOV-2004 Time 14:58

Disciplinary Officer David Malone W Date 22-NOV-2004 Time 07:10

## Results

Code Description	Sanctions	Start Date	End Date	# of Units	SS
Reviewing Authority		Date		Time	



*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety*  
*Department of Correction*  
*Massachusetts Correctional Institution Norfolk*  
*2 Clark Street, P.O. Box 43*  
*Norfolk, Massachusetts 02056*



Mitt Romney  
*Governor*

Kerry Healy  
*Lt. Governor*

Edward Flynn  
*Secretary*

*Tel: (508)660-5900*

*www.mass.gov/doc*

Kathleen M. Dennehy  
*Commissioner*

James Bender  
*Acting Deputy Commissioner*

Luis S. Spencer  
*Superintendent*

November 24, 2004

Stephen Johnson, T26693  
MCI-Norfolk  
P.O. Box 43  
Norfolk, MA 02056

Dear Mr. Johnson:

Your letter to the Director of Security, Daniel Calis dated November 18, 2004 in which you allege a disciplinary ticket to be illegal, has been referred to my office for reply.

Please be advised the Disciplinary Officer has informed me that this ticket was dismissed on November 19, 2004.

I trust this letter addresses your concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Capt David Sullivan".

David Sullivan  
Administrative Captain

cc: Daniel Calis, Director of Security  
Disciplinary Officer  
File

**COMMONWEALTH OF MASSACHUSETTS****DEPARTMENT OF CORRECTION****INMATE GRIEVANCE FORM****FORWARD TO INSTITUTIONAL GRIEVANCE COORDINATOR (IGC)**

Name JOHNSON STEVEN M Grievance# 7012 Institution MCI NORFOLK

Commit No. T26693 Housing SMU2 Date Of Incident 20041119 Date Of Grievance 20041122

Complaint on 11-19-04 sgt. kenney wrote a retaliation ticket on the above named inmate for filing a grievance about his clothes. grievance was filed in good faith but d report written in retaliation for pending case (3) in the courts and writing to commissisoner of corrections about previous d reports written in retaliation.

Remedy Requested for sgt. kenney be reprimanded for violation of her job.

Staff Recipient Kenney Kimberly A CO II

Staff Involved Kenney Kimberly A CO II

Signature

**RECEIPT BY INSTITUTIONAL GRIEVANCE COORDINATOR**

Date Received 20041126 Decision Date 20041126

Signature Kenney Kimberly A CO II

Final Decision Referred to Internal Affairs

Decision due to the nature of the allegations, this grievance has been referred to IA for the appropriate review/ action.

Signature Date

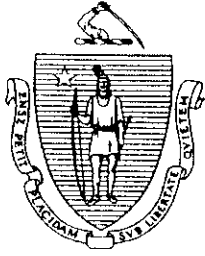
Denied grievances may be appealed to the Superintendent within 10 working days of Institution Grievance Coordinator's decision.

**INMATE RECEIPT**

Name JOHNSON STEVEN M Institution MCI NORFOLK

Commit No. T26693 Grievance# 7012 Date Received 20041126

Signature. Kenney Kimberly A CO II



*The Commonwealth of Massachusetts*  
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*Department of Correction*  
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James Bender  
*Acting Deputy Commissioner*

Luis S. Spencer  
*Superintendent*

November 24, 2004

Steven Johnson, T-26693  
MCI-Norfolk/Unit SMU  
P.O. Box 43  
Norfolk, MA 02056

Dear Mr. Johnson:

Your letter to Commissioner Dennehy, dated October 13, 2004, regarding your employment as a runner in the Special Management Unit has been referred to my office for response.

Please be advised you are in the Special Management Unit on Administrative Segregation Pending Transfer Status due to the need for alternative placement based on allegations of potential safety issues. Therefore, you are not eligible for a runner's position while awaiting transfer in the Special Management Unit.

I trust this addresses your concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Luis S. Spencer".

Luis S. Spencer  
Superintendent

cc: Kathleen M. Dennehy, Commissioner  
Christopher Mitchell, Deputy Superintendent  
Inmate File